

AMENDED IN ASSEMBLY MARCH 24, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2154

Introduced by Assembly Member Solorio

February 18, 2010

An act to amend Section 3001 of, *and to add Section 3007.8 to*, the Elections Code, relating to vote by mail ballots.

LEGISLATIVE COUNSEL'S DIGEST

AB 2154, as amended, Solorio. Vote by mail ballots: telephone applications.

Existing law requires that application for a vote by mail voter's ballot be made in writing to the elections official having jurisdiction over the election during a specified period prior to the election, except as specified.

~~This bill would also allow an application for a vote by mail ballot to be made by telephone if a local elections official to offer a voter the ability to apply for a vote by mail voter's ballot by telephone. The bill would require a telephone applicant for a vote by mail voter's ballot to provide specified information is provided to the elections official. By increasing the duties of local elections officials, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~.
State-mandated local program: ~~yes-no~~.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 3001 of the Elections Code is amended*
2 *to read:*

3 3001. Except as provided in Chapter 3 (commencing with
4 Section 3200) and Sections 3007.5~~and~~, 3007.7, and 3007.8,
5 application for a vote by mail voter's ballot shall be made in writing
6 to the elections official having jurisdiction over the election
7 between the 29th and the 7th day prior to the election. The
8 application shall be signed by the applicant and shall show his or
9 her place of residence. Any applications received by the elections
10 official prior to the 29th day shall be kept and processed during
11 the application period.

12 *SEC. 2. Section 3007.8 is added to the Elections Code, to read:*

13 3007.8. (a) A local elections official may offer a voter the
14 ability to apply for a vote by mail voter's ballot by telephone.

15 (b) To apply by telephone, the applicant shall provide to the
16 elections official personal identifying information that matches
17 the information contained on the applicant's affidavit of
18 registration, including first and last name, home address, and date
19 of birth. The applicant's signature shall not be required.

20 (c) Except as otherwise provided in this section, all provisions
21 of this code governing written applications for vote by mail voter's
22 ballots shall apply to applications made by telephone.

23 ~~SECTION 1. Section 3001 of the Elections Code is amended~~
24 ~~to read:~~

25 ~~3001. (a) Except as provided in Chapter 3 (commencing with~~
26 ~~Section 3200) and Sections 3007.5 and 3007.7, application for a~~
27 ~~vote by mail voter's ballot shall be made in writing or by telephone~~
28 ~~to the elections official having jurisdiction over the election~~
29 ~~between the 29th and the 7th day prior to the election.~~

30 ~~(b) To apply in writing, the applicant shall complete a written~~
31 ~~application containing his or her place of residence and signature.~~

32 ~~(c) To apply by telephone, the applicant shall provide to the~~
33 ~~elections official personal identifying information that matches~~
34 ~~the information contained on the applicant's affidavit of~~

1 registration, including first and last name, home address, and date
2 of birth. The applicant's signature shall not be required.

3 (d) Any application received by the elections official prior to
4 the 29th day shall be kept and processed during the application
5 period.

6 SEC. 2. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.